



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jacques Owen et al.  
Serial No.: 10/826,829  
Filing Date: 04/16/2004  
For: PHYTO FLUID  
Group Art Unit No.: 1654  
Examiner: Unknown  
Attorney's Docket No.: MCCART-5

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL,  
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FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

September 22, 2004

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

*James A. Sheridan 9/22/04*

(SIGNATURE)

September 22, 2004

(DATE OF SIGNATURE)

Mail Stop Missing Parts  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION - FILING DATE GRANTED

In response to the outstanding NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, Applicants  
hereby respectfully submit the following:

(1) a DECLARATION AND POWER OF ATTORNEY document listing  
the names of each of the inventors, specifically identifying the  
application by serial number and filing date, and signed by the  
inventors, Jacques Owen and Guido Di Lenardo;

(2) a duplicate copy of the NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, as  
requested in the Notice; and

(3) one (1) check in the amount of \$65.00 to cover the  
surcharge for the late filing of the Declaration, this charge  
having been calculated on the basis of Small Entity status.

MCCART-5

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

A duplicate copy of this RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED is enclosed for the convenience of the Patent and Trademark Office.

Respectfully submitted,

*James A. Sheridan 9/22/04*

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EC/MCCART5.MPR

JFW

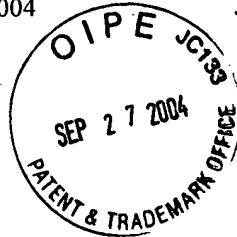


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,829	04/16/2004	Jacques Owen	MCCART-5

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CONFIRMATION NO. 1733

## FORMALITIES LETTER



\*OC000000013161440\*

Date Mailed: 07/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
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*A copy of this notice **MUST** be returned with the reply.*

09/28/2004 MBERHE 00000036 10826829

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Linda Lee

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE